

REMARKS/ARGUMENTS

Claims 1-54 are pending in the present application. Claims 1, 10, 19-21, 24, 26, 28 and 29 were amended. No claims were added or canceled. This application is now believed to be in condition for allowance, and reconsideration of the rejection is respectfully requested in view of the above amendments and the following comments.

I. 35 U.S.C. § 101

The Examiner has rejected claims 1-36 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter.

In rejecting the claims, the Examiner states:

Claims 1, 10, 19, 28: Claims 1, 10, 19 and 28 are rejected under 35 USC 101 as being non-statutory for failing to define a tangible result within the claims. See State Street Bank & Trust Co. v. Signature Financial Group Inc., 149 F.3d 1368, 47 USPQ2d 1596 (Fed. Cir. 1998) for the requirement of a tangible result. In each of claims, 1, 10, 19 and 28, the list of node identifiers is the intended result of the process, although this result is not a tangible result since it is merely a listing of information. However, this result can be defined as tangible if the list of node identifiers is received and stored at first the peer node. The stored result would then define a tangible result. A tangible result could also be produced by claiming that the peer-to-peer search is performed and the search results are received and stored at one of the peer nodes.

Claims 2-9, 11-18, 20-27 and 29-36: Depend from claims 1, 10, 19 or 28.

Claims 1-36 would be allowed if amended to overcome the rejection under 35 USC 101.

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By the present Amendment, independent method claim 1 has been amended to recite the additional steps of receiving and storing a result of a peer-to-peer search, and corresponding system claim 19 has been amended in a similar manner. Also, independent method claim 10 has been amended to recite the additional steps of receiving and storing the list of node identifiers at the peer node, and corresponding system claim 28 has been amended in a similar manner. In addition, dependent claims 20, 21, 24, 26 and 29 have been amended appropriately as necessitated by the amendments to the independent claims.

Claims 1-36, as amended herein, satisfy the requirements of 35 U.S.C. § 101 in all respects, and the rejection of the claims under 35 U.S.C. § 101 has been overcome.

II. Conclusion

Claims 37-54 stand allowed. The Examiner has stated that claims 1-36 would be allowed if amended as indicated above. This application, accordingly, is now believed to be in condition for allowance, and it is respectfully requested that the Examiner so find and issue a Notice of Allowance in due course.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: September 21, 2007

Respectfully submitted,

/Gerald H. Glanzman/

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